SUMMONS IN A CIVIL ACTION

CIV. 1 (2-64)
(Formerly D. C. Form No. 45 Rev. (6-49))

United States District Court

FOR THE

Northern District of Illinois

CIVIL ACTION FILE NO.....

Harold Weisberg,
Rt. 8,
Frederick, Md. 21701

Plaintiff

v.

Sherman Skolnick
9800 South Oglesby Avenue
Chicago, Illinois

Defendant

SUMMONS

To the above named Defendant :

You are hereby summoned and required to serve upon Harold Weisberg

plaintiff's attorney , whose address is Rt. 8, Frederick, Md. 21701

an answer to the complaint which is herewith served upon you, within days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint.

Clerk of Court.

Deputy Clerk.

Date: [Seal of Court]

Note:—This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.

RETURN ON SERVICE OF WRIT

I hereby certify and return, that on the day of 19 ,
I received this summons and served it together with the complaint herein as follows:

MARSHAL'S FEES

Travel ..... $.....

Service .....

United States Marshal.

By .....
Deputy United States Marshal.

Subscribed and sworn to before me, a this
day of , 19 .

[SEAL]

Note.—Affidavit required only if service is made by a person other than a United States Marshal or his Deputy.

No. .....

United States District Court
FOR THE

v.

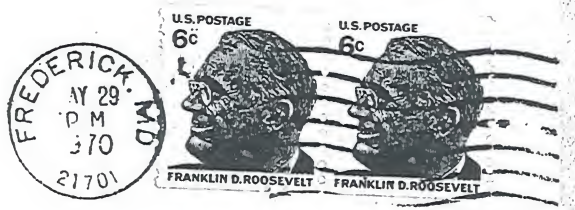
SUMMONS IN CIVIL ACTION

Returnable not later than days after service.

Attorney for Plaintiff.

FPI—LK—3-2-61—140M—3104

HAROLD WEISBERG [redacted]
ROUTE 7, FREDERICK, MD. 21701



RECEIVED
JUN 1 1970

ELBERT A. WASHER, JR., Clerk
United States District Court

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Harold Weisberg
Rt. 8, Frederick, Md.
Plaintiff

v.

Sherman Skolnick
9800 South Oglesby Avenue
Chicago, Ill.
Defendant

Civil Action No._____

COMPLAINT

1. Plaintiff is a writer who has established an international reputation for his investigations and writings about political assassinations, especially that of the late President John F. Kennedy.

2. Plaintiff has copyrighted and published eight books on this subject, the first and best-known of which is titled WHITEWASH. The last two, a single work in two parts (hereinafter included in the word "work"), is titled COUP D'ETAT.

3. Both parts of the work deal with alleged plots to assassinate the late President Kennedy in Chicago, Illinois. One involved one Thomas Arthur Vallee. Another is claimed by and involves an account of the history and troubles of Abraham Bolden, a former agent of the United States Secret Service.

4. In the course of investigating and writing the work, author obtained the services of several agents. One, Russell Trunzo, is a former reporter who then lived in Chicago and acted as Plaintiff's agent in pursuing further certain facts, including those embodied in certain reports of the Federal Bureau of Investigation, obtained by and for the author from the National Archives and Records Service, part of the United States Government. Plaintiff provided his agent Trunzo with electrostatic copies thereof. Trunzo, acting as Plaintiff's agent, also obtained for Plaintiff certain records of the City of Chicago relating to the arrest of said Vallee, to which Plaintiff directed him, solely for purposes of this work, of which they are part, and to which Plaintiff added certain interpretations and meanings of his own. These City of Chicago records had never before had such interpretations placed upon them and had never before been used in public or in any other literary work or any book or writing of any kind or character.

5. While no individual paper of government may be copyrighted and owned by an individual, the special interpretations he places upon the words can be and are and the collections he compiles become comparable to an anthology and are copyrightable under what is called an anthological copyright. This is well recognized and established in law and practice.

6. Defendant Skolnick calls himself a legal researcher, claims to have experiences with and knowledge of the law and the courts, and alleges the purpose of "cleaning up" the courts. If true, this is a

laudable objective, for each man should live with and under the law, enjoying its benefits and protections while obeying it and not abusing it. No man should wrongfully take the property and rights of another and use them as his own.

7. On or about the first of February 1970, Defendant Skolnick began a systematic effort to get himself publicity, as essential to him as air to ordinary mortals. For some time, through a student in a class he conducts at Columbia College, Chicago, Illinois, Defendant Skolnick laid court to Radio Station WBBM, part of the nationwide Columbia Broadcasting System. When WBBM proved impervious to his blandishments, he successfully courted Radio Stations WRSV, Skokie, Illinois, and WCFL, Chicago, Illinois, both of which later engaged in publicizing the defendant in the use of property he had stolen from Plaintiff, namely, the work heretofore referred to, including the heretofore described materials relating to said Vallee and said Bolden.

8. To this end, Defendant Skolnick communicated with Trunzo and, under the pretext he would help, improperly obtained from Trunzo the property of Plaintiff, including electrostatic copies of the heretofore referred to documents described in paragraph 4 above. Defendant knew these were part of the work, the property of Plaintiff, for Trunzo so informed him. Defendant, by subterfuge and with intended and deliberate deception, disarmed and earned the confidence of Trunzo with his assurance he would telephone and get the permission of Plaintiff the following night, at approximately 10 p.m., which he never did. Defendant also told others with whom he associated or attempted to associate himself that he was going to visit Plaintiff, also claiming he had been in touch with Plaintiff, had an appointment with Plaintiff and other such false statements. Defendant gave the press and others the impression he was in a friendly relationship with Plaintiff, whereas they were total strangers, no communication of any kind having passed between them.

9. Radio Stations WRSV and WCFL did combine with Defendant to take for themselves and their benefit and profit the work and property of Plaintiff, the former on or about March 20, 1970, the latter beginning before and on or about April 7, 1970, and thereafter. In violation of law, custom, practice and regulation, both stations have failed to and have refused to provide Plaintiff with tape recordings of their broadcasts of his work which was stolen and used by Defendant Skolnick, in which each combined, in violation of the law and the rights of Plaintiff. They have also refused to provide Plaintiff with other uses of his work, such as press releases. In fact, they have refused to answer his repeated letters. Radio Station WRSV had a minor employee telephone Plaintiff and falsely claim the tape of their broadcast of Defendant, carefully staged and involving Columbia College and his class at Columbia College, had disappeared, immediately and completely. One Ed Luehh, manager of WRSV, refused to speak to Plaintiff on the telephone and has not in any way responded to Plaintiff's letters, the first of which was written and mailed March 21, the morning after the usurpation of Plaintiff's property, rights and name by said Defendant and Lucht and Station WRSV. Whereas, responsible employees of WCFL, namely, the News Director, under whose direction and supervision Plaintiff's work was wrongfully, improperly and illegally used, and the reporter assigned to work with Defendant, both promised to send Plaintiff tapes,

releases and other uses of his material, expressing themselves as regretting it, they were ordered by management and counsel for WCFL not only not to do this but not to communicate to Plaintiff that they would not. Plaintiff's letters to the manager and news director of Radio Station WCFL were both returned to Plaintiff, the station ignominiously representing itself to the United States Post Office to be "unknown". Plaintiff's letter to the news director was written at the news director's request and representation it was required by management as a condition of providing said tapes and releases and other matters to Plaintiff, none of which WCFL or any of its employees has ever done.

10. Defendant fictitiously and fraudulently presents and publicizes himself as an expert on the assassination of the late President, While pretending to hold and express kind opinions of those actually conducting investigations and doing the writing, he is and in unguarded moments expresses himself as contemptuous of them and gives others falsely to understand that he has made a close study, has unique and rare capabilities and skills, will perform miracles in the field and solve the mysteries remaining as he will solve the murder. Defendant holds and is in no way reluctant to express an exalted opinion of himself.

11. The truth is Defendant has done no original work in this field, is ignorant of the most basic fact, has neither read nor understood the official accounting of the crime by the United States Government as embodied in the Warren Report, has never made any effort to obtain any materials or evidence from the official repository, the National Archives. Defendant substitutes for fact and reality an exotic blending of his imaginings and desires, which he mixes with what he has stolen from Plaintiff.

12. Having combined with said radio stations to deprive Plaintiff of the use, rights and benefits of Plaintiff's property, the work herein referred to, Defendant filed in this honorable Court an entirely fictitious paper that, for reasons not related to fact or law, he describes as a "suit" against said National Archives, identified as "Civil Action 70 C 790". This document is contaminated by reality only with what Defendant stole from Plaintiff. Said "suit" is, indeed, a remarkable self-indictment of an ego as uninhibited as its possessor is uninformed and unconcerned. In it Defendant irresponsibly charges the suppression of what he has never asked for, of what was not onlybnot suppressed but was widely publicized and used by the government, that which is both central to its Warren Report and is reproduced in facsimile in it and elsewhere, relating to the order for the rifle allegedly used in the assassination. In said "Civil Action 70 C 790", to cover his theft of Plaintiff's work, Defendant falsely claims the National Archives, "having kept the same suppressed for some six years ... recently released certain documents relating to the events". These are the documents stolen by Defendant from Plaintiff. These documents were <u>never</u> withheld by the National Archives and have been in the possession of Plaintiff for a long period of time. Defendant further claims said National Archives, "without explanation, arbitrarily suppresses or releases documents, papers and exhibits", whereas the National Archives never makes "releases" of this material in its custody and is, in fact, controlled by law and regulation. This is not to say that the National Archives

always acts in conformity with law and regulation, but it is to say that Defendant has no knowledge of that of which he speaks, which seems to be characteristic, and invents what suits his immediate purposes, whatever they may be.

13. This "suit" of Defendant, identified as "Civil Action 70 C 790", has none of the qualities, characteristics or purposes of an action at law and is, in fact, an imposition on the Court and the law as it is on the Plaintiff. It seeks to invoke a law which imposes certain requirements on those who would use it, beginning with a proper request for government material. Beginning with this request, Defendant has conformed and complied with no single requirement of the law and the regulations promulgated under it. His "suit", in fact, displays an unparalleled ignorance of both the law and regulations as well as of ordinary common sense. This "suit" bears no closer relationship to relevant law and regulation than the garlic wafted over the stew. It is spurious, frivolous, fictitious, incompetent beyond the power of articulate man adequately to describe, has no standing and serves no certain purposes other than to gratify Defendant's exalted concept of himself and his craving for publicity and to deprive Plaintiff of his rights. It may well serve purposes quite the opposite of what it professes. Said "Civil Action 70 C 790" is an improper use of this honorable Court for ulterior and wrongful, other than lawful, ends.

14. The mere filing and publicizing of such a nightmare described as a "suit" in itself serves to mask the actual violations of law and regulation, the real suppressions of evidence relating to the assassination of the late President Kennedy, by the federal government. While Defendant is loud and publicizes himself in the course of proclaiming others, like defendants in the recent so-called "Chicago Seven" case (also known as "The Conspiracy"), are "agents" of the government, he could himself be no more effective an agent of the government in its illegalities, in its own violation of its own law and regulations, in its actual suppressions. Among the results of this legal fiction touted into a "suit", in which the Defendant had the lusty collaboration of Radio Stations WRSV and WCFL, which assisted him in the alleged "preparation" of the "suit", according to the public press and acknowledgment to Plaintiff by an involved employee of WCFL, will be: to make it seem that the government is behaving itself properly and in accord with law and regulation; that there is no suppression; that those charging such misconduct, misrepresentation and suppression against government are as separated from their wits as Defendant; and that their suits, which are proper and properly prepared, are of as evil a character, as improper a purpose, as without worth or honesty, as his. In each instance, the contrary is the fact.

15. Whether or not so calculated and contrived, the inevitable ultimate disposition of this "Civil Action 70 C 790" is a perfect front and cover for the continuing real violations of law and regulation by the federal government, an ideal mask to make it seem that the federal government is not violating law and regulation, is not suppressing that which is real and is suppressed. It could no better serve such improper purposes and functions if Defendant were a hired agent of the federal government, of which Plaintiff has no knowledge. However, Plaintiff submits the record is so vividly that of an agent serving a master, both engaged in illegalities and improprieties, whether the

Defendant gets any reward over and above the gratification of a sick ego is irrelevant and immaterial.

16. Plaintiff has filed one action under the so-called "Freedom of Information" law and, to the knowledge of the federal government, by virtue of Plaintiff's letters and statements to proper government executives and employees, his negotiations with them going back to 1966, his compliance with the detailed requirements of the law and regulations, of which, in each and every case, the executive agency involved has to be informed, plans and is preparing a series of other similar, legitimate actions. The preparation of these cases and the prerequisites extend backward in time for several years. They represent Plaintiff's own effort and are the result of considerable cost in time and money to him. Such suits cannot and should not be brought with frivolity, or needlessly, or for ulterior purposes, like self-seeking publicity. They do require painstaking and time-consuming care in their preparation, as they also require the seeking of available administrative remedy. Others beside Plaintiff have filed and are considering filing other suits for the release of that which is real and is still suppressed relating to the assassination of the late President Kennedy and other matters believed related thereto.

17. The net effect of Defendant's improper and illegal actions, whether or not their design and intent, is to undermine and vitiate the legitimate actions of people of serious and honorable purpose; to make it seem as though all such suits are as devoid of legitimacy and as ulterior in purpose as said "Civil Action 70 C 790", to convey to the people and the news media these false and prejudicial beliefs in and about the people concerned oand their actions; and to make it appear that all such suits are as spurious as said "Civil Action 70 C 790?. This would be serious, if not irreparable, damage to Plaintiff and others and their efforts, work and property.

18. Defendant's thievery is so undisguised, so open and blatant despite his contrary misrepresentations, he did not even deign to duplicate Plaintiff's work by obtaining his own copies of Plaintiff's documents, which would still have been wrong and illegal. Instead, he stole Plaintiff's copies and their use. This is proved by identifiable marks and by other means. The only thing faithful to fact in all of Defendant's public utterances and said "Civil Action 70 C 790" is from this theft. Moreover, in those places where other than irrational or insane allegations and interpretations are made, they are those of the said work, nothing else reasonable, rational or at all credible being said by Defendant. This is not because there is not more that can be said and is said in Plaintiff's work; it is merely because Defendant did not have access to the complete work and thereby was limited in what he could steal and plagiarize.

19. This literary purloining, in which Defendant was joined by Radio Stations WRSV and WCFL, both of which, without right or permission, also exploited Plaintiff's work for their own profit and benefit, is seriously damaging to Plaintiff and his rights and property, as is the prostitution of law and the courts bedded in "Civil Action 70 C 790". It is also damaging to others seriously and deeply concerned about the political assassinations, of which that of the late President is but one, and who have invested considerable time and labor and what for them are significant sums of money in researching, writing, and in various other

ways, including serious and responsible suits at law, seeking to bring to public attention the truth and the fact and the real official suppression of both. It is damaging and contrary to the national interest and honor. It serves to protect those guilty and not brought before the bar of justice. It is against the public interest in establishment and acceptance of truth about these assassinations as it is against public interest in the sanctity of the courts and legal processes. The courts should never be made to serve nefarious, fraudulent, frivolous, contemptuous, self-seeking purposes, which bring the courts and the judicial and legal processes into disrepute.

20. Plaintiff, as a consequence of the cost in money and of his own time and labor in this field, where he has spent days, sometimes without end, for more than six years, in original work, is without means of obtaining counsel within the jurisdiction of this honorable Court. He therefore suffers the added handicap of having to serve as his own counsel, a task for which he freely acknowledges he is neither suited nor prepared. If it is proper, he would welcome appointment of local counsel by the honorable court to assist him in the endeavor embodied in this complaint.

21. Plaintiff, for reasons only part of which are set forth in the foregoing paragraphs of this complaint, respectfully petitions the honorable Court to:

A). Dismiss with prejudice the imposition on the court of the melding of thievery, irresponsibility, irrationalities, diseased imaginings, misbegotten concepts and possible agentry embodied in the pretense of a cause at law identified as "Civil Action 70 C 790";

B). Enjoin Defendant and his collaborators, named in the foregoing and unnamed, from any further theft and misuse of Plaintiff's work;

C). Award such punishment for the abuse and misuse of the Court represented by "Civil Action 70 C 790" as the law provides and in its wisdom it deems adequate and appropriate;

D). Assess against Defendant and his collaborators, including but not limited to Radio Stations WRSV and WCFL, and award Plaintiff, such damages as it shall consider warranted.

22. A copy of this complaint has been sent Defendant by mail.

Harold Weisberg